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FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), CAMERON WINKLEVOSS, TYLER WINKLEVOSS, DIVYA NARENDRA, PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA,

Defendants.

Case No. 5:07-CV-01389-RS

DECLARATION OF MONTE M. F. COOPER IN SUPPORT OF REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF FACEBOOK'S MOTION TO COMPEL PACIFIC NORTHWEST SOFTWARE AND WINSTON WILLIAMS TO PROVIDE COMPLETE AND SUPPLEMENTAL RESPONSES TO FACEBOOK'S FIRST SET OF INTERROGATORIES NOS. 3 AND 4

Date: November 28, 2007
Time: 9:30 A.M.
Judge: Hon. Richard Seeborg

Dockets.Justia.com

I, Monte M. F. Cooper, declare as follows:

1. I am Of Counsel at the law firm of Orrick, Herrington & Sutcliffe, counsel for Plaintiffs Facebook, Inc. and Mark Zuckerberg in this action, and a member of the Bar of the states of California and Colorado. I make this declaration in support of Reply Memorandum of Points and Authorities in Support of Facebook's Motion to Compel Pacific Northwest Software and Winston Williams to Provide Complete and Supplemental Responses to Facebook's First Set of Interrogatories Nos. 3 and 4. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. Attached hereto as **Exhibit I** is a true and correct copy of relevant excerpts from the Deposition of Winston Williams, taken June 19, 20007. **[CONFIDENTIAL DOCUMENT SUBMITTED SEPARATELY UNDER SEAL]**

3. Attached hereto as **Exhibit J** is a true and correct copy of documents produced by Defendant David Gucwa, bates labeled GUCWA 0004, 68, 75-78, 90, 97-102, 112-113, 117-119, 128, 134, 136, 142-143 and 147.

4. Attached hereto as **Exhibit K** is a true and correct copy of a document produced by Defendant Pacific Northwest Software, Inc. ("PNS"), bates label PNS0002119. **[CONFIDENTIAL DOCUMENT SUBMITTED SEPARATELY UNDER SEAL]**

5. Attached hereto as **Exhibit L** is a true and correct copy of a Faxed letter from Scott R. Mosko to Theresa A. Sutton attaching the Declaration of Winston Williams, dated November 5, 2007 and sent at 7:03 p.m. PST.

I declare under penalty of perjury that the forgoing is true and correct to the bet of my knowledge.

Executed this 14th of November, 2007, at Menlo Park, California.

/s/ Monte M. F. Cooper /s/
Monte M. F. Cooper

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 14 2007.

Dated: November 14, 2007

Respectfully submitted,

/s/ Monte M. F. Cooper /s/
Monte M. F. Cooper